

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 05-10003-NMG
)	
FRANK IACABONI,)	
)	
Defendant.)	
_____)	

MOTION TO MODIFY CONDITIONS OF RELEASE

The defendant, Frank Iacaboni ("Iacaboni"), respectfully requests that the Court modify his conditions of release to allow for out-of-state travel to Florida during the months of December, January, February and March, for the purpose of spending several weeks at a time in Florida followed by approximately one week in Massachusetts. A proposed itinerary is attached at Exhibit A. Iacaboni's current conditions include restriction of travel to the District of Massachusetts and the northern New England states for business. Iacaboni will abide by all other conditions of his release, including maintaining weekly contact with Pretrial Services and appearing for all required court dates. A similar motion was allowed on May 27, 2005 in United States v. Iacaboni, No. 02-cr-30013. A copy is attached at Exhibit B.

Counsel for Mr. Iacaboni has attempted unsuccessfully to contact counsel for the government, Fred M. Wyshak, Jr., regarding this motion.

Mr. Iacaboni is currently on supervised release. His supervising probation officer, Michael D. Forman, has authorized this travel. (See Exhibit C, *Permission to Travel* dated 11/20/06.)

WHEREFORE, Iacaboni respectfully requests that the Court allow his motion.

Respectfully submitted,
FRANK IACABONI
By his attorney,

/s/ Thomas J. Butters
Thomas J. Butters
B.B.O. #068260
Butters Brazilian LLP
One Exeter Plaza
12th Floor
Boston, MA 02116

Dated: November 28, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date, including:

Michael Forman
Probation Department
Federal Courthouse
595 Main Street, Room 40
Worcester, MA 01608

Vangie Cuascut
Pretrial Services
Federal Courthouse
595 Main Street, Room 40
Worcester, MA 01608

/s/ Thomas J. Butters
Thomas J. Butters

EXHIBIT A

FRANK ICABONI'S PROPOSED ITINERARY

Depart Boston to Fort Lauderdale	12/28/2006
Return to Massachusetts	01/18/2007
Depart Boston to Fort Lauderdale	01/23/2007
Return to Massachusetts	02/13/2007
Depart Boston to Fort Lauderdale	02/16/2007
Return to Massachusetts	03/09/2007
Depart Boston to Fort Lauderdale	03/13/2007
Return to Massachusetts	03/30/2007

EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 02-30013
)	
FRANK IACABONI,)	
)	
Defendant.)	
_____)	

ASSENTED TO MOTION TO MODIFY CONDITIONS OF RELEASE

The defendant, Frank Iacaboni ("Iacaboni"), respectfully requests that the Court modify his conditions of release to allow for out-of-state travel to Florida during the months of October, January, February and March, for the purpose of spending several weeks at a time in Florida to be followed by approximately one week in Massachusetts. Iacaboni's current conditions include restriction of travel to the District of Massachusetts and the northern New England states for business. Iacaboni will abide by all other conditions of his release, including maintaining weekly contact with Pretrial Services and appearing for all required court dates.

Counsel for the government, Mr. O'Regan, assents to the allowance of this motion. Pretrial Services, Ms. Cuascut, does not object to this modification.

WHEREFORE, Iacaboni respectfully requests that the Court allow his motion.

Respectfully submitted,
FRANK IACABONI
By his attorney,

/s/ Thomas J. Butters

Thomas J. Butters

B.B.O. #068260

Butters Brazilian LLP

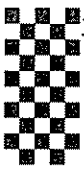
One Exeter Plaza

12th Floor

Boston, MA 02116

Dated: May 27, 2005

EXHIBIT C



Prob 37
(Rev. 2/91)

United States District Court Federal Probation System PERMISSION TO TRAVEL	Address of Probation Office 595 Main Street Room 302 Worcester, MA 01608
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Frank Iacaboni
640 Union Street
Leominster, MA 01453

Date: November 20, 2006

YOU ARE AUTHORIZED TO TRAVEL TO Hollywood, FL

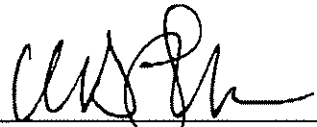
TRAVEL DATES: 12/28/06 THROUGH 01/18/07
01/23/07 THROUGH 02/13/07
02/16/07 THROUGH 03/09/07
03/13/07 THROUGH 03/30/07

PLEASE NOTIFY THIS OFFICE WITH IN 24 HOURS AFTER YOUR RETURN FROM EACH TRIP.

PURPOSE OF THIS TRIP: Vacation

SPECIAL INSTRUCTIONS: (include requirements of criminal registration ordinances in travel area. Also include instructions for reporting in destination district.)





MICHAEL D. FORMAN
UNITED STATES PROBATION OFFICER

**COPY MAILED TO CHIEF PROBATION OFFICER
IN DISTRICT OF DESTINATION:**

Jeri L. Smith
Supervising U.S. Probation Officer
6100 Hollywood Boulevard, Suite 501
Hollywood, FL 33024